IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6417 OF 2001

Prabhakar Marotrao Sontakke ....Petitioner

Versus

Forest Development Corporation of Maharashtra Ltd. and ors. ...Respondents

Ms. Seema Sarnaik for the petitioner.
Ms. Revati M. Dere for respondent Nos. 1 to 3.
Mr. V.P. Malvankar, Assistant Government Pleader, for respondent No.5.

CORAM: **H.S. BEDI, C.J.,** &
V.M. KANADE, J.

DATE: OCTOBER 16, 2006.

P.C.

We have heard the learned counsel for the parties.

2. We have gone through the enquiry reports as well as the impugned order, Exhibit-K, passed in appeal. We are of the opinion that the appellate order does not give any reason for holding the petitioner guilty of the charges levelled against him. We observe that the order merely reproduces the charges against the petitioner and thereafter the summary of the findings in the enquiry and the findings against the petitioner and nothing more. In this view of the matter, the learned counsel for the petitioner states that she would be satisfied if

the matter is remitted to the Appellate Authority for a fresh decision. We agree with the submission of the learned counsel.

2. We accordingly quash the order at Exhibit-K to the petition and remit the case to the Appellate Authority for a fresh and a reasoned decision in accordance with law. We also request the Appellate Authority to take a final decision in the matter within a period of three months from the date of receipt of this order. Should the petitioner fail before the Appellate Authority, he would be at liberty to come to this Court yet again. Writ Petition is accordingly disposed of. Rule is discharged.

CHIEF JUSTICE

V.M. KANADE, J.